

HOUSE BILL 1610

P1, F5, P4

8lr2367

By: **Delegates Queen and Gibson**

Introduced and read first time: February 9, 2018

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **State-Occupied Buildings – Child Care Centers – Requirements and**
3 **Renovations**

4 FOR the purpose of requiring, instead of authorizing, the State Department of Education
5 to establish child care centers for the children of State employees in State-occupied
6 buildings under certain circumstances; requiring the Department to survey certain
7 employees and make certain determinations under certain circumstances before the
8 State renovates a certain building; extending the period of time required to notify a
9 certain child care center of closure; repealing a certain pilot program for child care
10 in State-occupied buildings and State complexes; defining a certain term; altering a
11 certain definition; and generally relating to child care centers in State-occupied
12 buildings.

13 BY repealing and reenacting, with amendments,
14 Article – Education
15 Section 9.5–501, 9.5–502, and 9.5–503(f)
16 Annotated Code of Maryland
17 (2014 Replacement Volume and 2017 Supplement)

18 BY repealing
19 Article – Education
20 Section 9.5–504
21 Annotated Code of Maryland
22 (2014 Replacement Volume and 2017 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
24 That the Laws of Maryland read as follows:

25 **Article – Education**

26 9.5–501.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) In this subtitle the following words have the meanings indicated.

2 (b) “Employee” means a State employee.

3 (c) “Employee occupant” means a State employee who is assigned or will be
4 assigned to a State-occupied building.

5 (d) “Occupying agency” means a State agency or department which is or will be
6 located in a State-occupied building.

7 (e) **“RENOVATE” MEANS THE RENOVATION OF AN EXISTING OFFICE**
8 **BUILDING WHERE:**

9 **(1) THE STATE-OCCUPIED BUILDING IS TO BE CONSTRUCTED AND**
10 **REUSED AFTER THE CONSTRUCTION;**

11 **(2) THE SCOPE OF THE RENOVATION IS 25% OR MORE OF THE TOTAL**
12 **SQUARE FEET OF THE STATE-OCCUPIED BUILDING; AND**

13 **(3) THE SCOPE OF THE RENOVATION INCLUDES RENOVATION OF ANY**
14 **PART OF THE GROUND FLOOR OF THE STATE-OCCUPIED BUILDING.**

15 (F) “State complex” means more than 1 State-occupied building or facility
16 situated either adjacent to or within reasonable proximity to another State-occupied
17 building or facility.

18 [(f)] (G) (1) “State-occupied building” means:

19 [(1)] (I) An office building acquired through any means by the State for
20 use by a State agency or department; and

21 [(2)] (II) An office building constructed **OR RENOVATED** by or for the
22 State for occupancy by a State agency or department.

23 **(2) “STATE-OCCUPIED BUILDING” DOES NOT INCLUDE AN ADULT**
24 **CORRECTIONAL OR DETENTION FACILITY, A JUVENILE DETENTION FACILITY, A**
25 **HOSPITAL, OR, AS DETERMINED BY THE DEPARTMENT, ANY OTHER SIMILAR TYPE**
26 **OF 24-HOUR RESIDENTIAL FACILITY.**

27 9.5-502.

28 (a) The Department [may] **SHALL** establish child care centers for the children of
29 State employees in State-occupied buildings in the manner provided in this section.

1 (b) Before the State acquires, **RENOVATES**, or constructs an office building that
2 accommodates 700 or more employees, the Department shall:

3 (1) Survey the employees who will be assigned to the building regarding
4 the employees' child care needs;

5 (2) Determine whether child care services for more than 29 children are
6 needed; and

7 (3) If sufficient need is demonstrated, determine how much space is
8 required and request that the Department of General Services designate the required
9 amount of space within the building or acquire the designated amount of space within a
10 nearby building for a child care center.

11 (c) The occupying agency shall notify the employee occupants of the availability
12 of space for a child care center at least 180 days before the projected date of occupancy.

13 9.5-503.

14 (f) (1) After a child care center for children of State employees has been
15 established, the Department shall assess the child care needs of the State employees using
16 the center at least every 5 years.

17 (2) If the assessment demonstrates that the service is no longer needed or
18 feasible, the State Superintendent may close the center.

19 (3) The State Superintendent shall give the child care center **[90] 180** days'
20 written notice of closure.

21 **[9.5-504.**

22 (a) (1) In this section the following words have the meanings indicated.

23 (2) "Pilot program" means the child care centers established in
24 State-occupied buildings or State complexes under this section.

25 (b) There is a pilot program for child care in State-occupied buildings and State
26 complexes.

27 (c) The Department shall administer the pilot program established under this
28 section.

29 (d) The pilot program shall be:

30 (1) Operated in at least 1 State-occupied building or State complex where
31 700 or more State employees are located;

1 (2) Established to accommodate at least 29 children at each location; and

2 (3) Established for at least 3 years.

3 (e) (1) The Department shall contract with child care providers to operate the
4 child care centers established under this section.

5 (2) The contract for operating a child care center shall require the child
6 care provider:

7 (i) To be responsible for entering into agreements, and making
8 arrangements with the employees, for the provision of child care;

9 (ii) To provide proof of financial responsibility;

10 (iii) To be licensed under this subtitle and Subtitle 4 of this title;

11 (iv) To comply with any laws or regulations governing child care
12 centers;

13 (v) To obtain and keep in effect liability insurance in an amount
14 determined to be sufficient by the State Superintendent; and

15 (vi) To comply with any other requirement the State Superintendent
16 considers reasonable and necessary.

17 (3) The child care provider may not be held responsible for providing the
18 necessary space for the operation of the child care center.]

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
20 1, 2018.